

# **EXHIBIT**

**“A”**

## Supreme Court of Pennsylvania

Court of Common Pleas  
Civil Cover Sheet

MONROE

County

For Prothonotary Use Only:

Docket No:

2522 CV 2021

SHERIFF'S OFFICE  
2021 MAY 18 P 2:56  
MONROE COUNTY

The information collected on this form is used solely for court administration purposes. This form does not supplement or replace the filing and service of pleadings or other papers as required by law or rules of court.

SECTION A

## Commencement of Action:

- ☒ Complaint ☐ Writ of Summons ☐ Petition ☐ Notice of Appeal  
☐ Transfer from Another Jurisdiction ☐ Declaration of Taking

Lead Plaintiff's Name:

DANNY HILL

Lead Defendant's Name:

KALAHARI RESORTS PA, LLC

☐ Check here if you are a Self-Represented (Pro Se) Litigant

Name of Plaintiff/Appellant's Attorney: TODD A. JOHNS, ESQUIRE

Are money damages requested? : ☒ Yes ☐ NoDollar Amount Requested: \_\_\_\_\_ within arbitration limits  
(Check one) ☒ outside arbitration limitsIs this a Class Action Suit? ☐ Yes ☒ No

**Nature of the Case:** Place an "X" to the left of the ONE case category that most accurately describes your **PRIMARY CASE**. If you are making more than one type of claim, check the one that you consider most important.

## TORT (do not include Mass Tort)

- ☐ Intentional  
☐ Malicious Prosecution  
☐ Motor Vehicle  
☐ Nuisance  
☒ Premises Liability  
☐ Product Liability (does not include mass tort)  
☐ Slander/Libel/Defamation  
☐ Other: \_\_\_\_\_

## MASS TORT

- ☐ Asbestos  
☐ Tobacco  
☐ Toxic Tort - DES  
☐ Toxic Tort - Implant  
☐ Toxic Waste  
☐ Other: \_\_\_\_\_

## PROFESSIONAL LIABILITY

- ☐ Dental  
☐ Legal  
☐ Medical  
☐ Other Professional: \_\_\_\_\_

## CONTRACT (do not include Judgments)

- ☐ Buyer Plaintiff  
☐ Debt Collection: Credit Card  
☐ Debt Collection: Other \_\_\_\_\_

- ☐ Employment Dispute:  
 Discrimination  
☐ Employment Dispute: Other \_\_\_\_\_

☐ Other: \_\_\_\_\_

## REAL PROPERTY

- ☐ Ejectment  
☐ Eminent Domain/Condemnation  
☐ Ground Rent  
☐ Landlord/Tenant Dispute  
☐ Mortgage Foreclosure  
☐ Partition  
☐ Quiet Title

☐ Other: \_\_\_\_\_

## CIVIL APPEALS

- Administrative Agencies  
☐ Board of Assessment  
☐ Board of Elections  
☐ Dept. of Transportation  
☐ Zoning Board  
☐ Statutory Appeal: Other \_\_\_\_\_

## Judicial Appeals

- ☐ MDJ - Landlord/Tenant  
☐ MDJ - Money Judgment  
☐ Other: \_\_\_\_\_

## MISCELLANEOUS

- ☐ Common Law/Statutory Arbitration  
☐ Declaratory Judgment  
☐ Mandamus  
☐ Non-Domestic Relations  
☐ Restraining Order  
☐ Quo Warranto  
☐ Replevin

☐ Other: \_\_\_\_\_Received  
5/20/2021  
1515 hrs

[Signature]

**TODD A. JOHNS, ESQUIRE**

Attorney for PLAINTIFF, DANNY HILL  
Identification No. 80327

TODD JOHNS LAW, LLC  
1144 East Drinker St.  
Dunmore, PA 18512  
Phone: (570) 876-6903

DANNY HILL,

Plaintiff

vs.

KALAHARI RESORTS PA, LLC,  
KALAHARI MANAGEMENT CO, LLC,  
KALAHARI PROPERTIES, LLC,  
KALAHARI RESORTS, LLC, and  
POCONO MANOR INVESTORS, LP,

Defendants

IN THE COURT OF COMMON PLEAS  
OF MONROE COUNTY

CIVIL ACTION – LAW

JURY TRIAL DEMANDED

NO.

**NOTICE**

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you and a judgment may be entered against you by the court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

**YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.**

**IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.**

Monroe County Bar Association  
913 Main Street  
P.O. Box 786  
Stroudsburg, PA 18360  
(570) 424-7288

**TODD A. JOHNS, ESQUIRE**

Attorney for PLAINTIFF, DANNY HILL  
Identification No. 80327

TODD JOHNS LAW, LLC  
1144 East Drinker St.  
Dunmore, PA 18512  
Phone: (570) 876-6903

DANNY HILL,

Plaintiff

vs.

KALAHARI RESORTS PA, LLC,  
KALAHARI MANAGEMENT CO, LLC,  
KALAHARI PROPERTIES, LLC,  
KALAHARI RESORTS, LLC, and  
POCONO MANOR INVESTORS, LP,

Defendants

IN THE COURT OF COMMON PLEAS  
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NO.

**AVISO**

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta ascantar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademias, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

**Lleve esta demanda a un abogado inmediatamente. Si no tiene abogado o si no tiene el dinero suficiente de pagar tal servicio. Vaya en persona o llame por telefono a la oficina cuya direccion se encuentra escrita abajo para averiguar donde se puede conseguir asistencia legal.**

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Respectfully submitted,

  
TODD A. JOHNS, ESQUIRE

**TODD A. JOHNS, ESQUIRE**

Attorney for PLAINTIFF, DANNY HILL  
Identification No. 80327

TODD JOHNS LAW, LLC  
1144 East Drinker St.  
Dunmore, PA 18512  
Phone: (570) 876-6903

DANNY HILL,	IN THE COURT OF COMMON PLEAS OF MONROE COUNTY	PROTHONOTARY 2021 MAY 18 PM 4:41 MONROE COUNTY, PA
Plaintiff	CIVIL ACTION – LAW	
vs.	JURY TRIAL DEMANDED	
KALAHARI RESORTS PA, LLC, KALAHARI MANAGEMENT CO, LLC, KALAHARI PROPERTIES, LLC, KALAHARI RESORTS, LLC, and POCONO MANOR INVESTORS, LP,	NO.	
Defendant		

**COMPLAINT**

NOW COMES, the Plaintiff, Danny Hill, by and through his undersigned counsel, Todd A. Johns, Esquire, and avers as follows:

1. That Plaintiff, Danny Hill, is a competent, adult individual with a primary place of residence at 224 Mine Road, Monroe, NY 10950.
2. That Defendant, Kalahari Resorts PA, LLC, upon information and belief, is a Pennsylvania corporation with a principal place of business at 250 Kalahari Boulevard, Pocono Manor, Pennsylvania.
3. That Defendant, Kalahari Management CO., LLC, upon information and belief, is a Pennsylvania limited liability company with a principal place of business at 250 Kalahari Boulevard, Pocono Manor, Pennsylvania.
4. That Defendant, Kalahari Properties, LLC, upon information and belief, is a Pennsylvania limited liability company with a principal place of business at 250 Kalahari Boulevard, Pocono Manor, Pennsylvania.



5. That Defendant, Kalahari Resorts, LLC, upon information and belief, is a Pennsylvania limited liability company with a principal place of business at 250 Kalahari Boulevard, Pocono Manor, Pennsylvania.
6. That Defendant, Pocono Manor Investors, LP, upon information and belief, is a Pennsylvania limited liability company with a principal place of business at 250 Kalahari Boulevard, Pocono Manor, Pennsylvania.
7. That it is believed and therefore averred that all time relevant hereto, the above named Defendants exercised ownership and/or control over the premises where Plaintiff's fall occurred and are jointly and severally liable for the injuries suffered by the Plaintiff as more particularly pled hereinafter.
8. That on or about December 19, 2019, Plaintiff Danny Hill was a business invitee at Defendants' place of business known as "Kalahari" located at 250 Kalahari Boulevard, Pocono Manor, Monroe County, Pennsylvania.
9. That while lawfully traversing the exterior of Defendants' place of business, in his capacity as a business invitee, by way of a macadam driveway and concrete sidewalk located on property owned and maintained by the Defendants, Plaintiff was caused to slip and fall on snow and ice present on the exterior of the Defendants' premises, resulting in severe, serious and permanent injuries, which include, but are not limited to, injuries to his back, shoulder, knee, neck, hands and wrist as well as other bruising, scarring, disfigurement and emotional distress. A claim for which is herein made.
10. That the snow and ice which was present on the aforesaid premises for a sufficient period of time that the Defendants had, or in the exercise or reasonable care, should have had knowledge of its existence so as to be able to remove same.
11. That the aforesaid accident was solely due to the negligent and careless conduct of the Defendants individually and/or by and through its agents, servants, workmen, employees and/or subcontractors, acting within the scope of their employment and with the full knowledge and consent of the Defendants and was in no way due to any negligent act or failure to act on the part of the Plaintiff.
12. That as a result of the aforesaid fall, Plaintiff Danny Hill suffered, yet suffers and will continue to suffer for an indefinite time into the future, injuries that include, but are not limited to: broken wrist, which

required surgical intervention, as well as other injuries, bruises, contusions, scarring and permanent disfigurement as well as shock to his nerves and nervous system, all of which caused him, yet causes him and will continue to cause him for an indefinite time in the future, great pain, agony and suffering, both physical and mental.


13. That as a result of the aforesaid accident and injuries sustained, Plaintiff Danny Hill has been forced to undergo medical evaluations, treatment and will/may be forced to undergo additional medical evaluations and treatment in the future.
14. That as a result of the aforesaid accident and injuries sustained, Plaintiff Danny Hill has been, yet is, and will/may for an indefinite time in the future be unable to go about his usual and daily occupations and routines.
15. That as a result of the aforesaid fall and injuries sustained, Plaintiff Danny Hill has been forced to expend various and substantial sums of money for medicine and medical attention in and about endeavoring to treat and cure him of his injuries, all to his great financial loss and detriment. A claim for which is herein made.
16. That as a result of the aforesaid fall and injuries sustained, Plaintiff Danny Hill has suffered, yet suffers and will continue to suffer for an indefinite time in the future, physical pain, mental anguish and humiliation.
17. That Plaintiff Danny Hill's fall and his resulting injuries were caused by the negligent and careless conduct of the above Defendants, individually and/or by and through their agents, servants, workman, employees and/or subcontractors, acting within the scope of their employment and with the full knowledge and consent of the Defendants which conduct included:
  - a. failure to warn Plaintiff Danny Hill of the existence of snow and ice on the exterior walkways of the premises at issue, including, but not limited to, the parking lot area;
  - b. failure to clear away the area of snow and ice from the exterior walkways of the premises at issue, including, but not limited to, the parking lot area;
  - c. failure to properly inspect the premises for the existence of dangerous conditions, including, but not limited to, snow and/or ice;

- d. failure to remove an unreasonably dangerous conditions from the premises at issue, including, but not limited to, snow and/or ice;
- e. failure to place barricades around any unreasonably dangerous conditions from the premises at issue, including, but not limited to, snow and/or ice;
- f. failure to timely shovel or otherwise clear the area at issue of snow and/or ice;
- g. permitting an unreasonably dangerous condition to exist on the premises and failing to remove and/or remedy the unreasonably dangerous conditions;
- h. failing to take appropriate and reasonable actions to protect the safety of their business invitees, such as the Plaintiff;
- i. failure to properly hire, train and/or supervise their servants, agents, employees and/or subcontractors, to take appropriate actions at Defendants' place of business, so as to prevent accidents and/or injuries to individuals lawfully at said premises in their capacity as business invitees, such as the Plaintiff; and
- j. such other acts or omissions as shall be discovered during the course of discovery under the applicable Pennsylvania Rules of Civil Procedure.

18. As a result of the aforesaid actions and inactions of Defendants individually and/or by and through their agents, servants, workman, employees and/or subcontractors, Plaintiff suffered the serious and permanent injuries previously set forth above.

WHEREFORE, Plaintiff, Danny Hill, prays this Honorable Court grant judgment in his favor and against Defendants Kalahari Resorts PA, LLC, Kalahari Management CO, LLC, Kalahari Properties, LLC, Kalahari Resorts, LLC, and Kalahari Properties, LLC, and Pocono Manor Investors, LP, in an amount in excess of \$50,000.00 as well as interest, costs and any other relief deemed just and appropriate.

BY:

  
TODD A. JOHNS, ESQUIRE  
Attorney for Plaintiff, Danny Hill



**TODD A. JOHNS, ESQUIRE**

Attorney for PLAINTIFF, DANNY HILL  
Identification No. 80327

TODD JOHNS LAW, LLC  
1144 East Drinker St.  
Dunmore, PA 18512  
Phone: (570) 876-8903

DANNY HILL,

Plaintiff

vs.

KALAHARI RESORTS PA, LLC.,  
KALAHARI MANAGEMENT CO., LLC,  
KALAHARI PROPERTIES, LLC,  
KALAHARI RESORTS, LLC., and  
POCONO MANOR INVESTORS, LP

Defendant

IN THE COURT OF COMMON PLEAS  
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CIVIL ACTION – LAW

JURY TRIAL DEMANDED

NO.2021- CV-

VERIFICATION

I, DANNY HILL, depose and say that the facts contained in this document are true and correct to the best of my knowledge, information and belief and made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsifications to authorities.

  
DANNY HILL